

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. James Alvin Fisher

Docket No. 5:10-CR-142-3D

Petition for Action on Supervised Release

COMES NOW Amir A. Hunter, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of James Alvin Fisher, who, upon an earlier plea of guilty to Conspiracy to Interfere with Commerce by Robbery - 18 U.S.C. § 1951; Possession of Firearms During and in Retaliation to a Crime of Violence and Aiding and Abetting - 18 U.S.C. § 924(c) and 2, was sentenced by the Honorable James C. Dever III, U.S. District Judge, on June 8, 2011, to the custody of the Bureau of Prisons for a term of 90 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

James Alvin Fisher was released from custody on November 3, 2017, at which time the term of supervised release commenced.

On December 1, 2017, the probation office filed a Petition for Action to modify the release conditions to add the condition for a psychosexual assessment due to a historical sex offense related conviction. The court concurred with the recommendation.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On February 23, 2020, the defendant committed the offense of Driving While Impaired (20CR50423) in Vance County, North Carolina. The defendant submitted a urine sample on February 27, 2020, that tested positive for marijuana. The defendant made a verbal admission to using marijuana after submitting the urine sample. In addition to the probation office referring the defendant to substance abuse treatment for an updated assessment and increasing testing, the probation office is recommending community service as a sanction to address the non-compliance. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 16 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Maurice J. Foy
Maurice J. Foy
Supervising U.S. Probation Officer

/s/ Amir A. Hunter
Amir A. Hunter
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919.861.8663
Executed On: February 28, 2020

ORDER OF THE COURT

Considered and ordered this 2 day of March, 2020, and ordered filed and
made a part of the records in the above case.

James C. Dever III
James C. Dever III
U.S. District Judge